

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

GARTH HIRE (CABN 187330)
Assistant United States Attorney

1301 Clay Street, Suite 340-S
Oakland, California 94612-5217
Telephone: (510) 637-3929
Facsimile: (510) 637-3724
E-Mail: Garth.Hire@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00643 SBA
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING SENTENCING
v.)	
)	
ERIK HARDING,)	
)	
Defendant.)	
)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to order as follows:

1. Sentencing for defendant Erik Harding in this matter is currently scheduled for 10 a.m. on Tuesday, May 18, 2010.

2. The parties request that this hearing be continued until 10 a.m. on Tuesday, June 29, 2010, in order to provide counsel for the government and defendant additional time to evaluate whether defendant is safety-valve eligible and to submit sentencing memoranda which address that issue.

STIPULATION AND ORDER RESCHEDULING
HEARING; EXCLUDING TIME

3. United States Probation Officer Christina Carruba does not object to the requested continuance and is available for the hearing on June 29, 2010.

IT IS SO STIPULATED.

JOSEPH P. RUSSONIELLO
United States Attorney

Dated: May 12, 2010

/s/
GARTH HIRE
Assistant United States Attorney
Attorney for United States of America

Dated: May 12, 2010

/s/
MARTHA BOERSCH, ESQ.
Attorney for Defendant
Erik Harding

ORDER

FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT:

The currently scheduled May 18, 2010, sentencing hearing is vacated as to defendant Erik Harding. A sentencing hearing for defendant Erik Harding is now scheduled for 10:00 a.m. on June 29, 2010.

DATED: 5/14/10


HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE